# BEFORE THE
# Federal Communications Commission
## WASHINGTON, D.C. 20554



| | | |
|---|---|---|
| In the Matter of | | |
| Amendment of Parts 2 and 25 of the Commission's Rules to Allocate the 13.75 - 14.0 GHz Band to the Fixed-Satellite Service | ) | ET Docket No. 96-20<br>RM-8638 |

**COMMENTS OF LORAL AEROSPACE HOLDINGS INC.**

Philip L. Verveer
Andrew R. D'Uva
WILLKIE FARR & GALLAGHER
1155 21st Street, N.W.
Suite 600
Washington, DC 20036
Phone: (202) 328-8000
Counsel for LORAL AEROSPACE HOLDINGS, INC.

LORAL AEROSPACE HOLDINGS, INC.
600 Third Avenue
New York, NY 10016
Phone: (212) 697-1105

April 1, 1996

BEFORE THE

# Federal Communications Commission

WASHINGTON, D.C. 20554

| | | |
|---|---|---|
| In the Matter of | | |
| Amendment of Parts 2 and 25 of the Commission's Rules to Allocate the 13.75 - 14.0 GHz Band to the Fixed-Satellite Service | ) | ET Docket No. 96-20<br>RM-8638 |

**COMMENTS OF LORAL AEROSPACE HOLDINGS INC.**

Through its counsel, Loral Aerospace Holdings Inc. ("LAHI") hereby submits its comments in favor of the above captioned proceeding. On February 13, 1996 the Commission adopted a Notice of Proposed Rulemaking in response to a Petition for Rulemaking filed by Hughes Communications Galaxy, Inc.[1] LAHI, through its Space Systems/Loral affiliate, manufacturers and supplies high-performance communications satellites to customers on a global basis. LAHI has also applied to construct, launch and operate two satellites which employ Ku-band frequencies, LoralSat 101 and LoralSat 102.[2] As both a

---

[1] In the Matter of Parts 2 and 25 of the Commission's Rules to Allocate the 13.75 - 14.0 GHz Band to the Fixed Satellite Service (FCC 96-55, Released February 23, 1996).

[2] See FCC File Nos. 72/73-SAT-P/LA-95 and 137-SAT-P-95 (filed February 15, 1995).

spacecraft manufacturer and a new satellite services provider, LAHI has a direct interest in this proceeding.

LAHI supports the Commission's proposal and believes that its adoption will promote efficient use of the scarce orbital arc and increase competition in the satellite services business. Furthermore, the allocation would enhance consumer choice for satellite services by stimulating provision of international satellite services and would thereby foster the public interest.

## I. A Discrepancy Exists Between Available Uplink and Downlink Spectrum in the Fixed Satellite Service That Unduly Limits Satellite Capacity

The effective capacity (i.e., throughput) of a communication satellite transponder is limited by the lower amount of spectrum available for either uplinks or downlinks. The satellite cannot use "excess" available uplink or downlink spectrum to increase its available capacity.

The current allocation for Ku-band satellites in the Fixed Satellite Service is:

| Frequency Range | Current FCC Allocation |
|---|---|
| 14.0 - 14.5 GHz | Earth to Space (Uplink) |
| 10.95 - 11.2 GHz | Space to Earth (Downlink) - International Systems Only |
| 11.45 - 11.7 GHz | Downlink - International Systems Only |
| 11.7 - 12.2 GHz | Downlink |

At present, only 500 MHz of domestic uplink spectrum is available to Ku-band systems in the fixed satellite service while 1000 MHz of downlink spectrum has been allocated.[3] Allocating additional uplink spectrum would allow satellite operators to make more efficient use of the available downlink spectrum.

## II. Domestic Allocation of Extended Ku-Band for Uplinks Permits More Efficient Satellite Design and Operation

The allocation of 250 MHz contiguous with the existing uplink between 14.0 and 14.5 GHz has the added benefits of enhancing satellite efficiencies through effective design and reliability improvements. The contiguous spectrum provides an optimum resource for improved communications links both domestically and for potential international service, by spot and/or wide area beams. This spectrum allocation enhances the satellite's capability and system characteristics, enabling increased volume and more effective communications services that can be provided to more users at a lower cost.

---

[3] 47 C.F.R. § 25.202(a)(1)

Wherefore, for the reasons outlined above, LAHI respectfully requests that the Commission adopt rules allocating the 13.75 - 14.0 GHz frequency band to the Fixed Satellite Service as set out in the Commission's Notice of Proposed Rulemaking.

Respectfully submitted,

LORAL AEROSPACE HOLDINGS, INC.

By: 

Philip L. Verveer
Andrew R. D'Uva*

Willkie Farr & Gallagher
1155 21st Street, N.W.
Suite 600
Washington, DC 20036
Phone: (202) 328-8000

Its Attorneys

* Admitted in California only

April 1, 1996

## CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of April, 1996, caused copies of the foregoing "Comments of Loral Aerospace Holdings Inc." to be served by hand on the following:

Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Room 814
Washington, D.C. 20554

Commissioner James H. Quello
Federal Communications Commission
1919 M Street, N.W.
Room 802
Washington, D.C. 20554

Commissioner Rachelle B. Chong
Federal Communications Commission
1919 M Street, NW
Room 844
Washington, D.C. 20554

Commissioner Susan Ness
Federal Communications Commission
1919 M Street, N.W.
Room 832
Washington, D.C. 20554

Thomas S. Tycz
Chief
Satellite and Radiocommunication Division
Federal Communications Commission
2000 M Street, N.W.
Room 811
Washington, DC 20054

Cecily C. Holiday
Deputy Division Chief
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street
Room 520
Washington, DC 20554

Fern J. Jarmulnek
Chief
Satellite Policy Branch
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W.
Room 518
Washington, DC 20554

Harry Ng
Chief
Satellite Engineering Branch
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W.
Room 512
Washington, DC 20554

Charles Iseman
Chief
Spectrum Policy Branch
Office of Engineering and Technology
Federal Communications Commission
2000 M Street, N.W.
Room 480
Washington, DC 20554

Rosalyn Bethke